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BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D.C. 20554

**RECEIVED**

In the Matter of

NOV - 5 2002

Aniendmnt of Section 73.202(b),  
Table of Allotments,  
FM Broadcast Stations  
(Chillicothe, Dublin, Hillsboro and  
Marion, Ohio)

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MB Docket No. 02-266  
RM-10557

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Audio Division

**REPLY COMMENTS OF INFINITY BROADCASTING OPERATIONS INC.**

Infinity Broadcasting Operations Inc. ("Infinity"), licensee of radio stations WAZU(FM), WHOK-FM, and WLVQ(FM), Columbus, Ohio, by its attorneys, hereby submits its Reply Comments in the above-captioned proceeding

First, Infinity notes that Citicasters Licenses, Inc., licensee of Station WMRN-FM, Marion, Ohio and Citicasters Company, licensee of Station WSRW-FM, Hillsboro, Ohio ("Joint Petitioners") missed the relevant deadline, October 21, 2002, by failing to timely file the requisite expression of interest in implementing their proposal. Because Joint Petitioners' proposal was strenuously and timely opposed, Joint Petitioners' failure in this regard is fatal to that proposal. See Committee for Competitive Columbus Radio, Opposition to "Motion for Leave to File Late Comments," MM Docket No. 02-266, dated October 30, 2002.

Second, each of the three commenters who filed timely comments noted that, if granted, the Joint Petitioners' Petition for Rule Making ("Joint Petition") would undermine the

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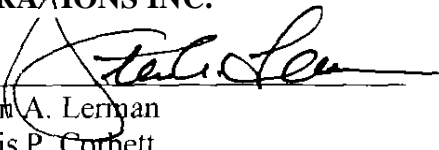
<sup>1</sup> Comments of Infinity Broadcasting Operations, Inc., filed October 21, 2002, Comments of the Committee for Competitive Columbus Radio, filed October 21, 2002 and Comments of Sandyworld, Inc. ("Sandyworld"), filed October 21, 2002.

Commission's core allotment priorities. Joint Petitioners seek to remove a local station from a more remote community (Marion, Ohio) by reallocating the station to Dublin, Ohio, a close-in suburb of Columbus. As demonstrated in the Comments timely filed in this proceeding, Joint Petitioners have failed to demonstrate that Dublin is sufficiently independent of the city of Columbus to warrant a first local service preference. Even assuming such a move from Marion to Dublin could somehow be justified, it could only be accomplished with the concurrent relocation of WSRW-FM from Hillsboro to Chillicothe, Ohio. As Infinity demonstrated in its Comments, the reallocation of WSRW-FM from Hillsboro to Chillicothe will not result in a preferential arrangement of allotments. WSRW-FM will be downgraded one full class (from B to A), producing a sizable net loss in service; tens of thousands of listeners will lose service outright; and Hillsboro will be left with a single AM station with minimal night service, all to allow Chillicothe to add a much less needed eighth local service

As Joint Petitioners have failed to timely file an expression of interest or to demonstrate that their proposal will advance the Commission's priorities and comport with Commission precedent, Infinity respectfully requests that the Commission deny the Joint Petition

Respectfully submitted,

**INFINITY BROADCASTING  
OPERATIONS INC.**

By:   
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November 5, 2002

Its Attorneys

**CERTIFICATE OF SERVICE**

I, Genevieve F. Edmonds, hereby certify that a copy **of** the foregoing "Reply Comments of Infinity Broadcasting Operations Inc." was mailed, first class postage prepaid, this 5<sup>th</sup> day **of** November, 2002 to the following:

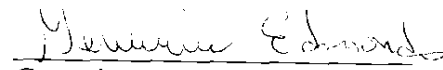
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